

12-19-05 AF.

1FW 1615/B

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | | |
|---|--|--------------------------|------------------------|
| Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005 | | Complete if Known | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Application Number | 09/760,307-Conf. #8759 |
| | | Filing Date | January 11, 2001 |
| | | First Named Inventor | Sam J. Milstein |
| | | Examiner Name | L. S. Channavajjala |
| | | Art Unit | 1615 |
| TOTAL AMOUNT OF PAYMENT | | (\$) | 180.00 |
| | | Attorney Docket No. | 01946/100A483-US8 |

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Account Deposit Account Number: 04-0100 Deposit Account Name: Darby & Darby P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|-----------------------|---------------|---------------------------|----------|---------------|
| _____ | _____ | _____ x _____ = _____ | _____ | _____ | _____ | _____ |
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | | | |
| _____ | _____ | _____ x _____ = _____ | _____ | | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|---|----------|---------------|
| _____ | _____ | _____ / 50 _____ (round up to a whole number) x _____ = _____ | _____ | _____ |


4. OTHER FEE(S)

| | Fees Paid (\$) |
|---|----------------|
| Non-English Specification, \$130 fee (no small entity discount) | |
| Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement | 180.00 |

| | | | |
|---------------------|----------------|-----------------------------------|-------------------|
| SUBMITTED BY | | | |
| Signature | | Registration No. (Attorney/Agent) | 41,151 |
| Name (Print/Type) | Jay P. Lessler | Telephone | (212) 527-7765 |
| | | Date | December 16, 2005 |

Express Mail Label No.

Dated: _____

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{W:\01946\100a483us8\00607716.DOC 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 }

Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

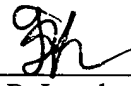
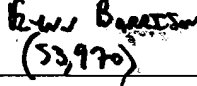
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: December 16, 2005

Respectfully submitted,

By  
(53970)

Jay P. Lessler

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PTO/SB/08a/b (07-05)

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|---|---|----|---|--------------------------|------------------------|
| Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 09/760,307-Conf. #8759 |
| | | | | Filing Date | January 11, 2001 |
| | | | | First Named Inventor | Sam J. Milstein |
| | | | | Art Unit | 1615 |
| | | | | Examiner Name | L. S. Channavajjala |
| Sheet | 1 | of | 1 | Attorney Docket Number | 01946/100A483-US8 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|---|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|--|-----------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | BA | WO-95/11690-A1 | 05-04-1995 | Emisphere Technologies, Inc. | | |
| | BB | WO-96/12475-A1 | 05-02-1996 | Emisphere Technologies, Inc. | | |
| | BC | WO-94/23767-A1 | 10-27-1994 | Emisphere Technologies, Inc. | | |
| | BD | WO-96/30036-A1 | 10-03-1996 | Emisphere Technologies, Inc. | | |
| | BE | WO-99/07331 | 02-18-1999 | Henkel Kommanditgesellschaft Auf Aktien | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | CA | Copy of English translation of the Official Action reported in the covering letter - Mexican Patent Application No. 003109 (3 pages) | |
| | CC | Copy of English translation of the Official Action dated September 27, 2005 - Japanese Application No. 2000-513565 (6 pages) | |
| | CD | Abstract for JP8509474T, Publication date 10-8-1996 (1 page) | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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| {W:019 4611002 | Date Considered |
|-------------------|--------------------|



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MS Amendment
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on December 16, 2005
Date

B.W. Lee

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Typed or printed name of person signing Certificate

Registration Number, if applicable

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Fee Transmittal (1 page)
IDS (Citation) by Applicant (8 References)
Supplemental Information Disclosure Statement (2 pages)
Check in the amount of \$180.00
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